IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 19TH JANUARY 2007 / 29TH POUSHA 1928

WP(C).No. 2408 of 2007(J)

PETITIONERS:

---

1. M.SIDDIQUE, S/O.BEERANKUTTY,
   RESIDING AT CHIRAYAKKAL HOUSE, P.O.ARIMBRA,
   MALAPPURAM DIST.

2. P.ABDURAHIMAN, S/O.KUTTIYALI,
   RESIDING AT PARAKOOT HOUSE, P.O.FEROKE,
   CALICUT DIST.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

---

1. DISTRICT COLLECTOR,
   MALAPPURAM.

2. THE TAHASILDAR, TIRUR, MALAPPURAM
   DISTRICT.

3. TRIPRANGODE GRAMA PANCHAYAT,
   TRIPRANGODE TIRUR TALUK, MALAPPURAM DIST.,
   REPRESENTED BY ITS SECRETARY.

4. THE SUB INSPECTOR OF POLICE,
   TIRUR POLICE STATION, TIRUR,
   MALAPPURAM DIST.

R1, R2 & R4 BY SR. GOVT.PLEADER SRI.MATHEW G.VADAKKEL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

.....

W.P.(C) No.2408 OF 2007

.....

DATED THIS THE 19th JANUARY, 2007

JUDGMENT

I have today passed an interim order which according to me grants to the petitioner all possible reliefs. In view of the interim order, the Writ Petition will stand disposed of.

(PIUS C. KURIAKOSE, JUDGE)

tgl

PIUS C. KURIAKOSE, J.

.....

W.P.(C) No.2408 OF 2007

.....

DATED THIS THE 19th JANUARY, 2007

O R D E R

Having regard to the grounds raised in the Writ Petition and the submissions of Mr.Harish R.Menon, counsel for the petitioners and those of the learned Government Pleader Mr.K.J.Mohammed Ansar who has taken notice on behalf of respondents 1, 2 and 4, there will be an interim order in the following terms:-

1. The 2nd petitioner will submit an undertaking in the form of an affidavit sworn to on stamp paper of value Rs.50/- to the effect that as and when directed in that regard by the 1st respondent or any other competent authority, he will produce the vehicle bearing No.KL 10A 7556 before the 1st respondent or other directing authority.

2. The 2nd petitioner will remit Rs.10,000/- by cash before the 1st respondent.

3. The 4th respondent-Sub Inspector of Police who is presently in custody of the lorry and the load will, upon noticing photo copy of the

affidavit and also the original of the cash receipt, release the lorry having registration No. KL 10A 7556 and the load of sand thereon to the 2nd petitioner.

It is made clear that the release as directed above will be subject to the result of the adjudication proceedings which will be completed by the 1st respondent at his earliest and at any rate within four months of receiving copy of this order.

(PIUS C. KURIAKOSE, JUDGE)

tgl